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Commercial Transactions; public works contracts—advertising and bids

NEV. REV. STAT. § 338.____ (new).

AB 617 (Committee on Government Affairs); 1987 STAT. Ch 824

Existing law requires public work¹ contracts to be awarded to the lowest licensed bidder.² Chapter 824 requires a public officer, employee or agency acting on behalf of a public work, to solicit bids by advertisement³ prior to awarding a contract.⁴ Contracts must be awarded on the basis of bids received⁵ unless: (1) the bidder is not responsive or responsible; (2) the quality of the services, materials, equipment or labor does not conform to the approved plan; or (3) public interest would be served by a rejection.⁶

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1. NEV. REV. STAT. § 338.010 3 (definition of a public work).

2. *Id.* § 338.145 1. *See generally*

NEV. REV. STAT. §§ 624.230-624.320 (licensing requirements for contractors).

3. 1987 Nev. Stat. ch. 824, sec. 1, at ____ (enacting NEV. REV. STAT. § 338.____) (advertisement must be made in a newspaper of general circulation in the state where the work is to be done).

4. *Id.* (applying to contracts where estimated costs exceed \$100,000).

5. *Id.* (enacting NEV. REV. STAT. § 338.____) (plans and specifications for the bids must be on file for inspection). A project may not be divided into separate portions to avoid the advertising requirements. *Id.*

6. *Id.* (enacting NEV. REV. STAT. § 338.____). Agencies rejecting bids in order to better serve the public interest must make a written statement available for public inspection containing: (1) A list of persons assigned to the project, and an estimate of their labor costs; (2) a list of the equipment to be used, an estimate of the cost and the number of hours the equipment will be used; (3) an estimate of the cost of administrative support for the persons assigned to the project; and (4) an estimate of the money expected to be saved by rejecting the bid. *Id.*